

MICHIGAN SMALL SCALE MINING

House Bill 5862

Gold Prospectors Association of America, Michigan Chapter

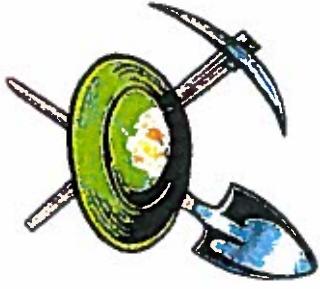
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Agenda

- Family Weekends and Vacations
- Recreational Prospecting Tools
- Current Situation
 - DNR/DEQ Rules
 - Environmentally Inconsequential Hobby
- Recommendations for Rules Improvement

Family Weekends and Vacations

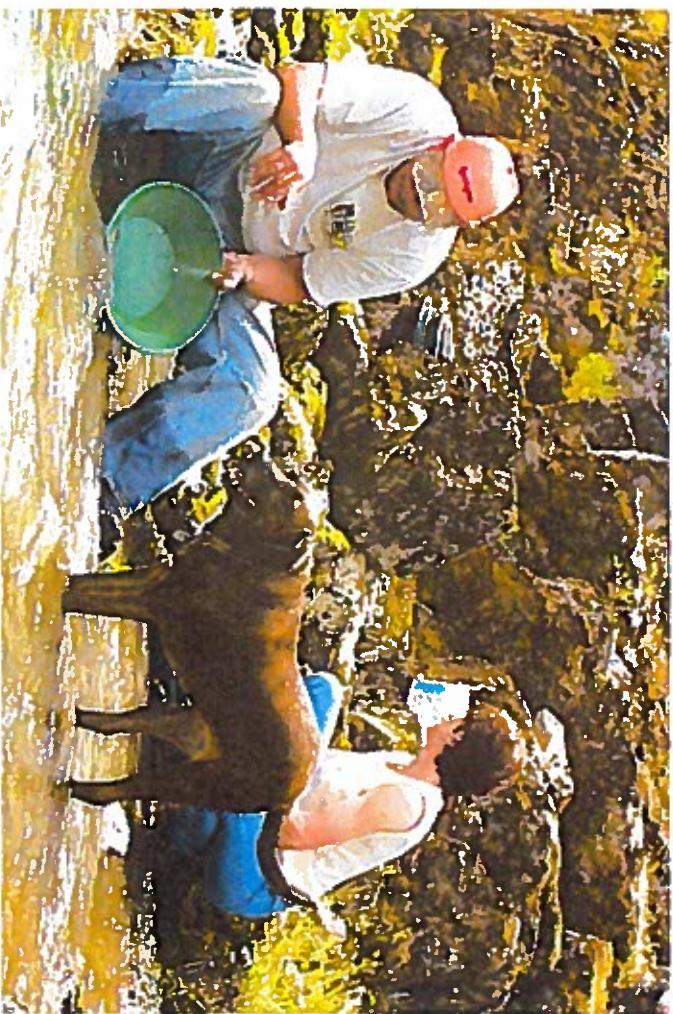
- Searching and Collecting is an Outdoor Recreational Activity Frequently Involving Families. Kids from 8 to 80 Are Involved in Prospecting (2000+ in MI)
- Individual to Small Groups
 - Individual Parties
 - Gold Prospectors Association of America (25,000 Members Nationwide plus Families)
 - » Members Periodically Join Monthly Digs – Including prospectors from adjacent States
 - » Lost Dutchman Mining Association Property (Athens)
 - Residents Spend Money in MI – vs – Other States
 - Members from Across Country Visit

Prospecting Tools & Equipment

– Common Prospecting Equipment

- Pan – Basic Prospector's Tool

Initial Sampling to Final Separation of Gold from Black Sand Concentrates



Prospecting Tools & Equipment - 2

- Sluice (Stream) – Placed in ~1-2 Ft/Sec Stream Flow
1"drop/Foot Best for < # 8 Mesh Material (configuration varies widely depending on stream velocity and density /particle size distribution)

Riffles with Traps Collect Heavy Material while Water Flow “Blows” Light Material from Tray.



Prospecting Tools & Equipment - 3

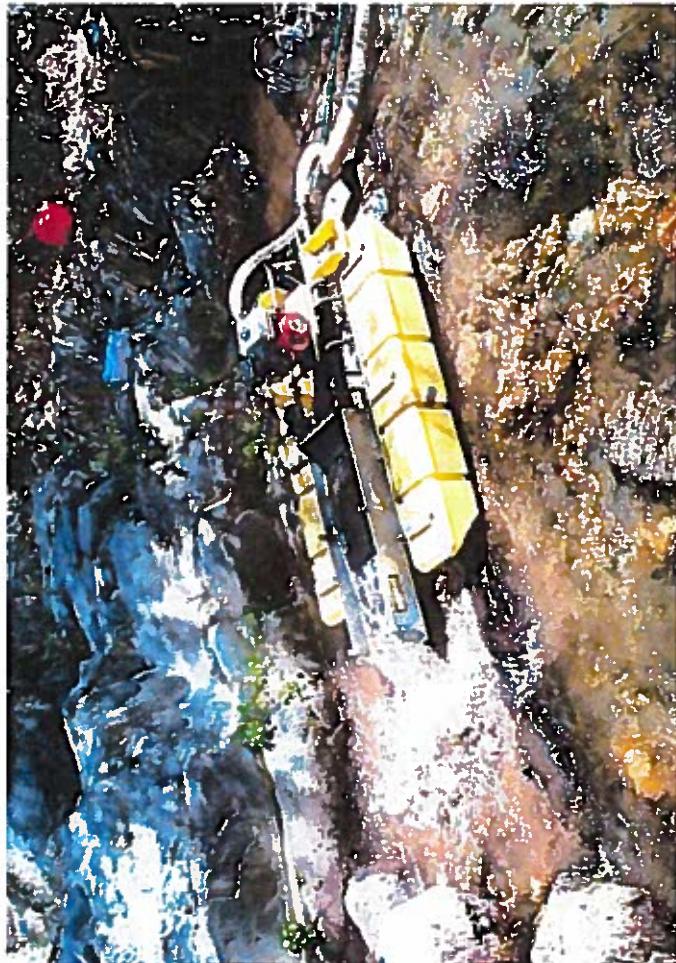
- High Banker



Powered Device where Gravel is Placed in Small
Hopper Washed with Water. Large Gravel Removed
with Grizzly and < # 4 Mesh Material Washed
Through Tray as Heavies Trapped Behind Riffles and
Matting.

Prospecting Tools & Equipment - 4

- Induction Dredge (Powered Sluice on a Pontoon)



Material Removed from Bottom of Stream (Induction Nozzle) and Re-Deposited Near Origin. Fish > 2" Not Harmed if Enter System. < 2" Owned by MI GPAA Residents.

Current Situation

Recreational Gold Prospecting \$50 DEQ General Permit

"With no Users"

General Permits allow use of **construction equipment/ vehicle traffic** and make **permanent changes** to environment – except for prospecting which allows human power, only. All include point specific activities. Prospecting involves searching multiple areas.

GENERAL PERMIT CATEGORIES	EFFECT OF CATEGORY
A. Aids to Navigation	Long term structures
B. Amateur Recreational Gold Prospecting	Short term enhancements to aquatic life, no mid term effect, no long term structures
C. Clear Span Bridge	Long term structure
D. Culvert Cleanout	Extensive movement of silt / loam
E. Culverts - Small	Long term structure
F. Dry Fire Hydrant	Long term structure
G. Maintenance Dredging on the Great Lakes and Section 10 Waters	Extensive movement of silt / loam
H. Maintenance of Storm Water Management Facilities: Wetlands	Long term structure & reoccurring activity
I. Maintenance: Wetlands etc. J. to X.	Extensive disturbance of environment

Current Situation - 1

Recreational Gold Prospecting on State Land - DNR

- The First Generation Rules Are Seven Years Old (*Land Use Orders of the Director: Amendment No.2 of 2009*):
 - (1) Excavation, digging, or otherwise disturbing the banks of a stream or river is not allowed.
 - (2) Gold panning and sluicing is not allowed in any stream or river segment if stream mussel beds are known to occur or are encountered while prospecting.
 - (3) Gold panning or sluicing is not allowed in designated trout streams, natural rivers, or natural areas.
 - (4) A hand-operated sluice used on state riparian rights along all streams and rivers may be no greater than 52 inches long, 12 inches wide, and 6.5 inches deep.
 - (5) No power sluices or dredging are allowed under this Land Use Order.
 - (6) The approved cumulative limit on the amount of gold found, removed, and kept under this activity, shall be one-half (1/2) Troy ounce, or 15.55 gms. /person/year.
 - (7) All other applicable laws, rules and requirements must be observed.
- Panning & Sluicing on Public Land and Permit Application
 - Recreational Gold Panning & Sluicing on State lands
 - Permit Application
 - DEQ/USACE Joint Permit Application Page

Swank Claim, Ohio



Current Situation – 2

- Google.com or DuckDuckGo.com: “**Effects of Suction Gold Dredging on Fish & Benthic Invertebrates**:” Hundreds of references referring to “recreational prospecting” give 95% positive or inconsequential impact to fish habitat and environment. The 5% negative references do not present facts based on the “scientific method”; rather the author’s suppositions, innuendoes and perceptions could, in other forums, be called lying.
- Turbidity
 - Numerous studies with 4” dredge on streams with flows of ~1'/sec show normal levels reached in less than 200 feet
 - Within any waterway, “sediment is primarily carried in suspension during periods of rainfall and high flow. This is an important point, as it indicates that a dredging operation has less, or at least no greater effect on sediment mobilization and mobility than a rain storm.”
- Water Chemistry
 - Dredge operations do re-suspend bottom sediments but the magnitude of disturbance on stream metal loading is insignificant.
 - We have observed greater variations in the natural stream chemistry in the region than in the dredge areas (Wanty, R.B., B. Wang, and J. Vohden. 1997).
- Fish Survival: Effects of sediment loadings on the South Yuba River via Humbug Creek (mining district), were investigated by comparing data from sites on the South Yuba River upstream and downstream of Humbug Creek.
 - No deleterious effects of sediment loadings on fish survival and reproduction (based on snorkel survey data), or large aquatic macro invertebrate populations.
 - In addition, the lack of a significant difference in the percentage of 0.30 to 3.35 mm material in substrate samples suggests that sediment loads are not affecting trout spawning gravels.

Current Situation – 3

- Google/DuckDuckGo Continued:
 - The affects of suction dredging on fish eggs and yolk sac fry can be significant **but we are fishermen, too.** We do not want hatcheries disturbed before trout fry are ~2". Small fish swim thru dredge with little to no affect. They are drawn to the new food scoured from the gravel.
 - Excavations temporarily improve fish habitat until the next storm's hydraulic flow moves gravel and sand from upstream into the 1-3' hole.
 - Hassler et al. (1986) noted that chinook salmon, coho salmon, and steelhead all spawned on dredge tailings in Canyon Creek in northwestern California.
 - <http://www.calflyfisher.com/msgboard/viewtopic.php?f=10&t=1725&start=0>
- **The Real Issue:** Localized conflict between suction dredgers and other outdoor recreational activities can be put into a more accurate perspective....
- the total acreage of all analyzed claims related to the total acres of watershed is about 0.2 percent **in known gold bearing areas.**
 - The **percentage of land area within riparian zones** on the Siskiyou National Forest occupied by mining claims is estimated to be **only 0.1 percent.**" The report goes on to say, "Over the past 10 years, approximately 200 suction dredge operators per season operate on the Siskiyou National Forest (SNF, 2001). --- **and these miners are much more active than recreational prospectors**

Recommendations

- Exempt Prospecting Equipment from DEQ Permit Requirement
- Improve DNR/DEQ Rules to Accept Up to 4" Dredging in All Michigan Rivers and Streams Including Trout Streams with Following Restrictions:
 - Season from 1 June to 31 Dec -- in Regenerating Trout Streams / Others– Year Round
 - 4" Diameter Maximum Suction on Dredging Equipment
 - 10HP Maximum Powered Equipment
 - Permission of Land/Mineral Rights Owner(s)
 - Stay Out of Fish and Clam Beds During Reproduction
 - Digging Unit Must Be Hand Operated (Excludes Const. Equip., etc.)
 - State License for Prospectors Who Use Powered Equipment Just as Required for Fishermen and Hunters
 - Maximum Movement of Material is Limited to 5 CY per day.
 - Maximum Removal of Material is Limited to $\frac{1}{2}$ CY per day.
 - No Visible Turbidity @100' from Discharge
 - No Excavation of Banks or in River Within One Foot from Bank

Position Statement (Small Scale Prospecting Regulations):

Small scale mining, aka recreational gold prospecting with hand-fed powered equipment in Michigan waterways should not be regulated via the current “site specific” DEQ permit applicable to heavy equipment use. Our recreational prospecting equipment is hand controlled and hand fed. The onerous Director’s order should be based on scientific facts.

Information:

1. Small scale mining is a property owner right and others’ individual right with property owner approval.
2. Searching for and collecting is an outdoor recreational activity involving family and friends. Just as fishing, hunting, and rock collecting, small scale prospecting is a citizen’s right that should not have silly or onerous State restrictions that don’t have an demonstrated environmental purpose.
3. Rules prohibiting hand-fed powered equipment, key to searching for & collecting gold, were established almost seven years ago after 100s of man hours of work. I believe less than 10 DEQ \$50.00 recreational prospecting permits have been issued. The requirement forces MI residents to spend vacation money in OH, IN, GA and TN where reasonable rules prevail.
4. The DEQ sluice permit is included with upwards of 20 other location specific permits including building a river crossing, installing aids to navigation, culvert cleanout, public transportation projects, and wetland habitat restoration. How can a sluice, or for that matter any hand fed powered device, be compared to these work projects requiring heavy construction equipment?
5. Unlike in western states, we have no economic deposits of placer gold. Michigan has minor occurrences of placer gold dust (deposits concentrated by weathering and erosion) in many counties. Ice age glaciers scraped gold bearing material from Ontario and deposited with gravel in moraine geologic structures. Most river deposits in existence today are the result of moraine erosion and nothing approaches gold rush potential.
6. Hand fed powered equipment environmental effects are “inconsequential” and do not impact the flow of typical Michigan streams/rivers nor adversely affect fish habitat. Google or DuckDuckGo.com “Recreational gold prospector effects on streams and rivers.” **There is no evidence collected over past 35 years, based on the Scientific Method,** that small scale mining hand fed powered equipment harms aquatic habitat or stream profiles. Take a look at actual test results. **Be careful to discount the persuasive negative articles that detractors broadcast without a shred of evidence supporting the accusations.** Theories supported by those opposing hand-fed powered recreational prospecting equipment are not based on professional research. With any stream flow, the hand fed equipment does not negatively affect fish habitat and enhances fishing experiences for anyone downstream from prospectors.
7. For more information please contact Nick Straffon, President, Gold Prospectors Association of America, MI Chapter, www.michgpaa.com. 810/794-0638, straffon@aol.com.

